

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHARLEN SMITH,

Petitioner,

vs.

UNITED STATES DEPARTMENT OF
LABOR,

Respondent.

Case No.: 2:09-cv-01892-GMN-RJJ

**ORDER ACCEPTING REPORT &
RECOMMENDATION OF MAGISTRATE
JUDGE JOHNSTON**

Before the Court for consideration is the Amended Report and Recommendation (ECF No. 28) of the Honorable Robert J. Johnston, United States Magistrate Judge, entered October 26, 2012. No objections have been filed. The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. § 636(b)(1) and Local Rule IB 1-4, and determines that Magistrate Judge Johnston's Recommendation should be **ACCEPTED**.

IT IS THEREFORE ORDERED that Petitioner's Petition for Judicial Review (ECF No. 1) is denied. The Clerk is directed to enter judgment accordingly.

DATED this 12th day of December, 2012.



Gloria M. Navarro
UNITED STATES DISTRICT JUDGE